

NIXON VANDERHYE PC Fax 703+816+4100 May 29 2007 02:17pm P001/007
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

JENKINS et al.

Serial No. 10/533,433

Filed: May 2, 2005

Title: HOLLOW CORE MULTI-MODE INTERFERENCE OPTICAL DEVICE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Atty Dkt. SCS-124-1114

C# M#

TC/A.U.: 2874

Examiner: J. Rahill

Date: May 29, 2007

FACSIMILE CERTIFICATE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on May 29, 2007, specifically to 571-273-8300.


 Signature
 Stanley C. Spooner
 Reg. No. 27,393

No. of pages transmitted (including this cover sheet): 7 pages

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Sir:

 Correspondence Address Indication Form Attached. **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$500.00 (1401)/\$250.00 (2401) \$ 500.00 applicant's claim(s).

| | | |
|--|--|----------|
| <input type="checkbox"/> An appeal BRIEF is attached in the pending appeal of the above-identified application | \$500.00 (1402)/\$250.00 (2402) | \$ |
| <input type="checkbox"/> Credit for fees paid in prior appeal without decision on merits | | -\$() |
| <input type="checkbox"/> A reply brief is attached in triplicate under Rule 41.41 | | (no fee) |
| <input checked="" type="checkbox"/> Pre-Appeal Brief Request for Review form attached. | | |
| <input type="checkbox"/> Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) | One Month Extension \$120.00 (1251)/\$60.00 (2251) Two Month Extensions \$450.00 (1252)/\$225.00 (2252) Three Month Extensions \$1020.00 (1253)/\$510.00 (2253) Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ | |

(less \$120.00 one-month extension fee previously paid)
 "Small entity" statement attached.

Less month extension previously paid on

-\$()

TOTAL FEE ENCLOSED \$ 500.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge the above-noted fee(s), any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

06/04/2007 GFREY1 00000055 141140 10533433

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 By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 